



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **B-0**

May 20, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVE AN AMENDMENT TO THE AGREEMENT WITH ACCELA, INC., TO
PROVIDE AN EXTENSION OF TIME FOR IMPLEMENTATION OF THE
ELECTRONIC DEVELOPMENT AND PERMIT TRACKING SYSTEM
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

**CIO RECOMMENDATION: APPROVE (X) APPROVE WITH MODIFICATION ()
DISAPPROVE ()**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the enclosed First Amendment (the "Amendment") to the June 18, 2002, Agreement No. 74058 with Accela, Inc., to extend the implementation period for the electronic Development and Permit Tracking System (eDAPTS) project to August 1, 2005, for the Departments of Public Works, Regional Planning (DRP), Fire, and Health Services' Office of Environmental Health (OEH) at no additional cost to the County.
2. Instruct the Chairman to sign the Amendment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On June 18, 2002, your Board approved a ten-year agreement (the "Agreement") with Accela, Inc., for replacement of Public Works' mainframe based Development and Permit Tracking System with a new web-enabled system, now known as eDAPTS. In your action, your Board also requested the Directors of Health Services, Parks and Recreation, the Fire Chief, Assessor, Treasurer and Tax Collector, DRP, County Librarian, and the Arts Commission to provide justification to the Board and the Chief Information Officer (CIO) prior to any Department implementing a plan to migrate its existing permitting process to a system other than the one developed for Public Works. In anticipation of this requirement, the Agreement included provisions allowing future expansion of eDAPTS to other County Departments and agencies at the discretion of the County.

The contract sum for the Agreement is \$4,021,865, which includes software licenses, professional services to implement eDAPTS at Public Works, maintenance services following implementation at Public Works, and contingencies. The Agreement also designated the Chief Deputy Director of Public Works as the Program Director for the Public Works portion of the eDAPTS project.

On April 1, 2003, your Board, with the recommendation of the Chief Administrative Officer, CIO and Public Works, approved Addendum No. 1 (the "Addendum") to the Agreement for the expansion of eDAPTS to DRP, Fire, and OEH. The Addendum added \$3,600,000 from Information Technology Funds for additional software licenses and professional services. The Addendum also provided for the designation of a Program Director for the Contractor's performance related to implementation of eDAPTS for DRP, Fire, and OEH. The CIO was subsequently designated as such Program Director for DRP, Fire, and OEH. At the time that the Addendum was submitted to your Board for approval, we informed your Board that the inclusion of these three additional Departments would result in a delay for completion of system implementation of Public Works' portion of eDAPTS and would require an extension of the implementation period set forth in the Agreement. Consequently, on December 23, 2003, Public Works granted an extension of the implementation period to June 18, 2004. This was the maximum extension that could be granted by the Program Director under Section 5.6 of the Agreement.

Public Works is now in production with the first two modules of eDAPTS, Land (parcel information), and Request for Service (code enforcement and property rehabilitation). By June 18, 2004, Public Works will also have implemented a portion of its Permits module and will continue with the necessary stages to implement the remaining functionality of the Permits module along with Inspections and eBusiness (on-line public access). Concurrently, DRP, Fire, and OEH are proceeding with their implementation schedules.

As the June 18, 2004, deadline for the Public Works implementation date approaches, Public Works and the CIO recognize that, due to the addition of DRP, Fire, and OEH to the eDAPTS project, the project design and implementation necessary to achieve the required functionality and cross-Department collaboration for all four eDAPTS Departments will require an extension beyond June 18, 2004. Consequently, Public Works and the CIO recommend that your Board approve the Amendment which provides for a no-cost extension of time for the implementation period currently provided for under the Agreement to August 1, 2005, to apply for all four currently participating Departments to allow full implementation of eDAPTS in those Departments. In addition, a further Amendment clarifying the administration of the Agreement with respect to the expansion Departments and Public Works, will be submitted to your Board for approval at a later date.

Implementation of Strategic Plan Goals

The recommended action supports the County's Strategic Plan Goals for Service Excellence, Organizational Effectiveness, and Community Services as follows:

Service Excellence – Provide the public with easy access to quality information and services that are both beneficial and responsive.

Organizational Effectiveness – Ensure the service delivery systems are efficient, effective, and goal-oriented.

Community Services – Improve the quality of life for the residents of Los Angeles County's unincorporated communities by offering a wide range of department coordinated services responsive to each community's specific needs.

FISCAL IMPACT/FINANCING

There will be no additional cost to the County as a result of this time extension for the implementation period. Payments to Accela, Inc., are based on fixed price deliverables not time and material.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The request for time extension has been reviewed and approved from a legal standpoint by County Counsel. Accela, Inc., is in compliance with Board-mandated legal requirements.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Expansion of the eDAPTS project for the enterprisewide business functionality of DRP, Fire, and OEH has necessitated a more thorough design phase and resulted in a more complex implementation process. This time extension will allow additional development time necessary to ensure that the processes shared by the four Departments are comprehensively addressed and well-integrated. Furthermore, this time extension will have no effect on the existing term of the Agreement.

The Honorable Board of Supervisors
May 20, 2004
Page 5

CONCLUSION

We request that your Board approve the enclosed Amendment to the eDAPTS Agreement to extend the overall eDAPTS implementation date to August 1, 2005, at no additional cost to the County. The Amendment will be submitted in triplicate. Please have the Chair sign all three copies of the Amendment. Please retain one copy for your files and return the other two copies to Public Works. Public Works will retain one copy of the Amendment for its records and provide the other copy to Accela, Inc.

Respectfully submitted,

Reviewed by:

JAMES A. NOYES
Director of Public Works

JON W. FULLINWIDER
Chief Information Officer

SE:yh
P:...DFLORES\BARB\ACCELA.BD LTR

Enc.

cc: Chief Administrative Office
County Counsel
Fire Department
Department of Health Services
Department of Regional Planning
Department of Public Social Services (GAIN Program)

FIRST AMENDMENT TO DEVELOPMENT AND INSPECTION TRACKING SYSTEM AGREEMENT

This First Amendment to Development and Inspection Tracking System Agreement ("Amendment")(as such agreement was modified by that certain Addendum as defined below) is entered into and executed as of the ____ day of _____, 2004 by and between the County of Los Angeles (the "County") and Accela, Inc. ("Contractor"). The County and the Contractor are sometimes hereinafter referred to collectively as the "Parties" and individually as a "Party."

RECITALS

WHEREAS, the Parties entered into that certain Development and Inspection Tracking System Agreement dated as of June 18, 2002 (the "Agreement") with respect to the procurement by County from Contractor of products and services in connection with the management and operation of the County's land development, inspection and management function;

WHEREAS, the Agreement provides for the development by Contractor of an electronic development and permit tracking system (the "System") for the County's Department of Public Works ("DPW"), including software licenses, software installation and support, business process re-engineering, training and post-implementation and support;

WHEREAS, Section 5.6 of the Agreement provides that to the extent that extensions of time for Contractor's performance thereunder do not impact either the scope or work or the cost of the Agreement, the County's Project Director may grant Contractor extensions of time for the work scheduled to be performed in accordance with the Implementation Plan attached to the Agreement as Exhibit J (the "Implementation Plan"), provided that such extensions do not exceed a total of six (6) months beyond the scheduled date of the issuance of the Certificate of Completion as provided in the Implementation Plan;

WHEREAS, Section 6.6 of the Agreement further provides the County the option of expanding the System to include the business activities of other County facilities, agencies and departments (collectively, the "Additional Entities");

WHEREAS, under that certain Addendum No. 1 to the Agreement effective as of April 1, 2003 (the "Addendum"), the Parties agreed to supplement the Agreement to provide for, among other things, the addition of the County's Department of Regional Planning ("DRP"), the County's Fire Department ("Fire") and the County's Department of Health Services' Office of Environmental Health ("OEH") as Additional Entities under the Agreement;

WHEREAS, while each of DRP, Fire and OEH has a separate implementation schedule for its respective portion of the System to be delivered under the Agreement, the Implementation Plan attached as Exhibit J to the Agreement related only to the portion of the System for Public Works;

WHEREAS, the scheduled date of the issuance of the Certificate of Completion under the Implementation Plan for Public Works is December 16, 2003;

WHEREAS, the County's Project Director has granted a six (6) month extension to Contractor until June 18, 2004, for the work scheduled to be performed in accordance with the Implementation Plan;

WHEREAS, due to the addition of DRP, Fire and OEH as Additional Entities under the Agreement, the Parties believe that additional extensions of time will be needed for Contractor to complete the work scheduled to be performed under the Implementation Plan for DPW and the respective implementation schedules for DRP, Fire and OEH; and

WHEREAS, the Parties wish to amend the Agreement to provide for an additional extension of time beyond that currently provided for in the Agreement for Contractor to complete the work scheduled to be performed under the Agreement.

NOW, THEREFORE, pursuant to Section 5 (Change Notices and Amendments) of the Agreement and in consideration of the mutual covenants of the Parties contained in the Agreement, the Addendum and this Amendment, the Parties hereby agree as follows:

1. Section 5.6 of the Agreement is hereby amended to read as follows:

"Notwithstanding any provision of this Section 5 (Change Notices and Amendments) or Section 30 (Termination for Convenience), to the extent that extensions of time for Contractor's performance do not impact either the scope of work or cost of this Agreement, the County's Project Director, in his sole discretion, upon written request from Contractor's Project Director may grant Contractor extensions of time in writing for the work scheduled to be performed in accordance with Exhibit J (Implementation Plan), provided that such extensions shall not be granted to a date beyond August 1, 2005 without a further amendment to the Agreement specifically providing for such extensions."

2. In all other respects the Agreement and the respective rights and obligations of the Parties remain as previously written and in full force and effect.

IN WITNESS WHEREOF, the County of Los Angeles and Accela, Inc. have caused this First Amendment to be executed by and through their respective and duly authorized representatives on the day and year above first written.

COUNTY
COUNTY OF LOS ANGELES

By _____
Chairman, Board of Supervisors

ATTEST:

VIOLET VARONA-LUKENS
Executive Officer and Clerk
Board of Supervisors of the County of Los Angeles

By _____

CONTRACTOR
ACCELA, INC.

By _____
Title _____

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By _____
Jose Silva
Principal Deputy County Counsel